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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11	JOE LOGAN,	)	CASE NO. ED CV 08-00637 DSF (RZ)
12		)	
13	Plaintiff,	)	
14	vs.	)	ORDER ACCEPTING AMENDED
15		)	FIRST INTERIM REPORT AND
16	SGT. S.L. ROSS, ET AL.,	)	RECOMMENDATION OF UNITED
17		)	STATES MAGISTRATE JUDGE
18	Defendants.	)	
19	_____	)	

20 The Court has reviewed the file in this matter, and has read and reviewed the  
21 Amended First Interim Report and Recommendation of United States Magistrate Judge.  
22 Further, the Court has engaged in a *de novo* review of those portions of the Report to  
23 which Plaintiff has objected. The Court accepts the findings and recommendations in the  
24 Report, with the following clarification.  
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26 The undersigned agrees with the recommendation that all Doe defendants  
27 should be dismissed from the action for Plaintiff's failure to serve them for an extended  
28 period of time. An additional reason for dismissing Does 1 and 2 from the action, as set  
out in the Amended First Interim Report, is that (a) Does 1 and 2 were targeted solely in  
Claim 1, and (b) anyone targeted in Claim 1 is entitled to qualified immunity.

The First Amended Complaint is DISMISSED. Plaintiff shall have leave to  
amend, as set forth in the Amended First Interim Report and shall not have leave to amend

1 as to any Does, as further clarified above, including Does 1 and 2. Plaintiff's Second  
2 Amended Complaint shall be filed within 30 days. If Plaintiff fails to file a timely Second  
3 Amended Complaint, then the action may be dismissed for failure to prosecute.  
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5 DATED: 3/12/10  
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9 DALE S. FISCHER  
10 UNITED STATES DISTRICT JUDGE  
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